

AMENDED IN ASSEMBLY MARCH 30, 2011

AMENDED IN ASSEMBLY MARCH 17, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2

Introduced by Assembly Member Portantino
(Principal coauthor: Assembly Member Block)

(Principal coauthor: Senator Lowenthal)

(Coauthors: Assembly Members Brownley, Fong, and Lara)

(Coauthors: Senators Hancock, Negrete McLeod, and Price)

December 6, 2010

An act to amend Section 66903 of, to add Chapter 12.5 (commencing with Section 67050) and Chapter 12.7 (commencing with Section 67070) to Part 40 of Division 5 of Title 3 of, to repeal Sections 66742 and 66743 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2, as amended, Portantino. Postsecondary education: Educational and Economic Goals for California Higher Education.

(1) Existing law establishes the California Postsecondary Education Commission (CPEC) as the statewide postsecondary education coordinating and planning agency and provides for its functions and responsibilities. Among other things, the CPEC is required to develop criteria for evaluating the effectiveness of all aspects of postsecondary education. The CPEC is requested to convene an intersegmental advisory committee on transfer access and performance. The CPEC is also required to periodically review and make recommendations regarding

postsecondary programs for adult and continuing education and report periodically to the Legislature and the Governor regarding the financial conditions of independent institutions, their enrollment and application figures, the number of student spaces available, and the respective cost of utilizing those spaces as compared to providing additional public spaces.

The bill would delete these specific requirements of the CPEC.

(2) Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and private, independent institutions of higher education as the 4 segments of postsecondary education in this state.

Existing law establishes a higher education accountability program under which the University of California, the California State University, and the California Community Colleges are required to prepare a list of reports on a regular basis and submit them to the Legislature and to state agencies. Under the program, the CPEC is required to submit annually a higher education report to the Legislature and the Governor that provides information on significant indicators of the performance of public colleges and universities.

This bill would repeal the existing higher education accountability program and require the state to establish a new accountability framework for achieving prescribed educational and economic goals. The bill would require this framework to measure the collective performance of the state's system of higher education in successfully serving students by answering 6 statewide policy questions. The bill would require that the data collected in response to these policy questions be reported to the Legislature and the Governor and made available to the public, as provided.

(3) Existing law requires the 3 public segments of postsecondary education to present annual statistical reports on transfer patterns via the CPEC to the Governor and the Legislature.

This bill would repeal this requirement.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66742 of the Education Code is repealed.

2 SEC. 2. Section 66743 of the Education Code is repealed.

3 SEC. 3. Section 66903 of the Education Code is amended to
4 read:

5 66903. The commission has the following functions and
6 responsibilities in its capacity as the statewide postsecondary
7 education planning and coordinating agency and adviser to the
8 Legislature and the Governor:

9 (a) It shall require the governing boards of the segments of
10 public postsecondary education to develop and submit to the
11 commission institutional and systemwide long-range plans in a
12 form determined by the commission after consultation with the
13 segments.

14 (b) It shall prepare a state plan for postsecondary education that
15 shall integrate the planning efforts of the public segments with
16 other pertinent plans. The commission shall seek to resolve
17 conflicts or inconsistencies among segmental plans in consultation
18 with the segments. If these consultations are unsuccessful, the
19 commission shall report the unresolved issues to the Legislature
20 with recommendations for resolution. In developing the plan, the
21 commission shall consider at least the following factors:

22 (1) The need for, and location of, new facilities.

23 (2) The range and kinds of programs appropriate to each
24 institution or system.

25 (3) The budgetary priorities of the institutions and systems of
26 postsecondary education.

27 (4) The impact of various types and levels of student charges
28 on students and on postsecondary education programs and
29 institutions.

30 (5) The appropriate levels of state-funded student financial aid.

31 (6) The access and admission of students to postsecondary
32 education.

33 (7) The educational programs and resources of independent and
34 private postsecondary institutions.

35 (8) The provisions of this division differentiating the functions
36 of the public systems of higher education.

37 (c) It shall update the plan periodically, as appropriate.

1 (d) It shall participate in appropriate stages of the executive and
2 the legislative budget processes as requested by the executive and
3 the legislative branches, and shall advise the executive and the
4 legislative branches as to whether segmental programmatic
5 budgetary requests are compatible with the state plan. It is not
6 intended that the commission hold independent budget hearings.

7 (e) It shall advise the Legislature and the Governor regarding
8 the need for, and location of, new institutions and campuses of
9 public higher education.

10 (f) It shall review proposals by the public segments for new
11 programs, the priorities that guide them, and the degree of
12 coordination with nearby public, independent, and private
13 postsecondary educational institutions, and shall make
14 recommendations regarding those proposals to the Legislature and
15 the Governor.

16 (g) In consultation with the public segments, it shall establish
17 a schedule for segmental review of selected educational programs,
18 evaluate the program approval, review, and disestablishment
19 processes of the segments, and report its findings and
20 recommendations to the Legislature and the Governor.

21 (h) It shall serve as a stimulus to the segments and institutions
22 of postsecondary education by projecting and identifying societal
23 and educational needs and encouraging adaptability to change.

24 (i) It shall periodically collect or conduct, or both collect and
25 conduct, studies of projected manpower supply and demand, in
26 cooperation with appropriate state agencies, and disseminate the
27 results of those studies to institutions of postsecondary education
28 and to the public in order to improve the information base upon
29 which student choices are made.

30 (j) (1) It shall act as a clearinghouse for postsecondary education
31 information and as a primary source of information for the
32 Legislature, the Governor, and other agencies. It shall develop and
33 maintain a comprehensive database that does all of the following:

34 (A) Ensures comparability of data from diverse sources.

35 (B) Supports longitudinal studies of individual students as they
36 progress through the state's postsecondary educational institutions,
37 based upon the commission's existing student database through
38 the use of a unique student identifier.

1 (C) Is compatible with the California School Information System
2 and the student information systems developed and maintained by
3 the public segments of higher education, as appropriate.

4 (D) Provides Internet access to data, as appropriate, to the sectors
5 of higher education.

6 (E) Provides each of the educational segments access to the data
7 made available to the commission for the purposes of the database,
8 in order to support, most efficiently and effectively, statewide,
9 segmental, and individual campus educational research information
10 needs.

11 (2) The commission, in implementing paragraph (1), shall
12 comply with the federal Family Educational Rights and Privacy
13 Act of 1974 (20 U.S.C. Sec. 1232g) relating to the disclosure of
14 personally identifiable information concerning students.

15 (3) The commission shall not make available any personally
16 identifiable information received from a postsecondary educational
17 institution concerning students for any regulatory purpose unless
18 the institution has authorized the commission to provide that
19 information on behalf of the institution.

20 (4) The commission shall provide 30-day notification to the
21 chairpersons of the appropriate policy and budget committees of
22 the Legislature, to the Director of Finance, and to the Governor
23 prior to making any significant changes to the student information
24 contained in the database.

25 (k) It shall establish criteria for state support of new and existing
26 programs, in consultation with the public segments, the Department
27 of Finance, and the Joint Legislative Budget Committee.

28 (l) It shall comply with the appropriate provisions of the federal
29 Education Amendments of 1972 (Public Law 92-318), as specified
30 in Section 67000.

31 (m) It shall consider the relationship among academic education
32 and vocational education and job training programs, and shall
33 actively consult with representatives of public and private
34 education.

35 (n) It shall review all proposals for changes in eligibility pools
36 for admission to public institutions and segments of postsecondary
37 education and shall make recommendations to the Legislature, the
38 Governor, and institutions of postsecondary education. In carrying
39 out this subdivision, the commission periodically shall conduct a
40 study of the percentages of California public high school graduates

1 estimated to be eligible for admission to the University of
2 California and the California State University. The changes made
3 to this subdivision during the 2001–02 Regular Session of the
4 Legislature shall be implemented only during those fiscal years
5 for which funding is provided for the purposes of those provisions
6 in the annual Budget Act or in another measure.

7 (o) Upon request of the Legislature or the Governor, it shall
8 submit to the Legislature and the Governor a report on all matters
9 so requested that are compatible with its role as the statewide
10 postsecondary education planning and coordinating agency. Upon
11 request of individual Members of the Legislature or personnel in
12 the executive branch, the commission shall submit information or
13 a report on any matter to the extent that sufficient resources are
14 available. From time to time, it also may submit to the Legislature
15 and the Governor a report that contains recommendations as to
16 necessary or desirable changes, if any, in the functions, policies,
17 and programs of the several segments of public, independent, and
18 private postsecondary education.

19 (p) In consultation with the public segments, it shall consider
20 the development of facilities to be used by more than one segment
21 of public higher education, commonly called “joint-use facilities.”
22 It shall recommend to the Legislature criteria and processes for
23 different segments to utilize bond funds for these intersegmental,
24 joint-use facilities.

25 (q) It may undertake other functions and responsibilities that
26 are compatible with its role as the statewide postsecondary
27 education planning and coordinating agency.

28 SEC. 4. Chapter 12.5 (commencing with Section 67050) is
29 added to Part 40 of Division 5 of Title 3 of the Education Code,
30 to read:

31
32 CHAPTER 12.5. EDUCATIONAL AND ECONOMIC GOALS FOR
33 CALIFORNIA HIGHER EDUCATION
34

35 67050. The Legislature finds and declares all of the following:

36 (a) Since the enactment of the Master Plan for Higher Education
37 in 1960, California’s system of postsecondary education has
38 provided access and high-quality educational opportunities that
39 have fueled California’s economic growth.

1 (b) In today's global information economy, California's national
2 and international success as an educational and economic leader
3 will require strategic investments and improved management of
4 state resources.

5 (c) Several factors, including changing demographics, rising
6 costs, increased competition for scarce state funding, and employer
7 concerns about graduates' skills, present new challenges to higher
8 education and state policymakers in effectively meeting the
9 postsecondary education needs of Californians.

10 (d) Although the public segments of higher education have each
11 developed their own institution-specific accountability efforts,
12 these efforts do not combine to tell us whether the state as a whole
13 is on track to produce enough college educated individuals to meet
14 workforce needs and to effectively compete in the global
15 information economy, nor do they reflect statewide policy goals
16 that cut across all higher education segments.

17 (e) Without the articulation of a shared common vision and
18 goals, and in the absence of a statewide focus and context, the state
19 has limited access to meaningful data and analyses to assess the
20 state's performance in key areas, in order to make critical fiscal
21 and policy decisions.

22 (f) As public demand to ensure the state is making proper
23 investments in postsecondary education grows, policy and
24 educational leaders must collectively hold themselves accountable
25 for connecting the postsecondary academic and research enterprise
26 to the state's economic and workforce development needs,
27 increasing its productivity, and expanding postsecondary access
28 for all citizens and regions of the state to produce the economic
29 and educational outcomes that best serve the state's interest.

30 (g) In order to achieve the educational and economic outcomes
31 necessary to ensure the state's success, it is the intent of the
32 Legislature that data-driven budget and policy decisions within
33 higher education be guided by each of the following goals:

34 (1) Increased educational attainment and successful transition
35 across all education levels. In the best performing state in the
36 ~~nation, for every 100 pupils in grade 9, 91 graduate from high~~
37 ~~school, 57 directly enter college, and 27 graduate within 150~~
38 ~~percent of program time. However, in California, for every 100~~
39 ~~pupils in grade 9, 71 graduate from high school, 31 directly enter~~
40 ~~college, and 17 graduate within 150 percent of program time,~~

1 ~~placing California 27th in the nation. Goal: by 2020, California~~
2 ~~nation in 2008, for every 100 pupils in grade 9, 77 graduate from~~
3 ~~high school, 57.5 directly enter college, and 30.2 graduate within~~
4 ~~150 percent of the time. However, in California, for every 100~~
5 ~~pupils in grade 9, 67.5 graduate high school, 44.2 directly enter~~
6 ~~college, and 19.7 graduate within 150 percent of the time, placing~~
7 ~~California 26th in the nation. Goal: by 2020, California will have~~
8 improved its educational pipeline numbers sufficiently so that it
9 is among the top 10 states in the nation for the successful
10 movement of students through this pipeline.

11 (2) Meeting the state's economic development, workforce
12 development, and civic capacity needs. Current projections by the
13 National Center for Public Policy and Higher Education indicate
14 that California residents will have the largest drop in projected per
15 capita income in the nation over the next two ~~decades, and will~~
16 ~~fall below the national average by 2012 decades. In 2009,~~
17 ~~California ranked 12th among states in per capita income. Goal:~~
18 by 2020, California will be at the average per capita income of the
19 top 10 new economy states as determined using the State New
20 Economy Index developed by the Progressive Policy Institute.

21 (3) Closure of the achievement gap and increased learning at
22 all levels. ~~In 2005, California ranked 33rd among states in the~~
23 ~~percentage of persons between 18 and 24 years of age, inclusive,~~
24 ~~with a high school diploma, 31st in the percentage of persons~~
25 ~~between 25 and 64 years of age, inclusive, with an associate degree,~~
26 ~~and 14th in the percentage of persons between 25 and 64 years of~~
27 ~~age, inclusive, with a bachelor's or higher degree. Goal: by 2020,~~
28 ~~all levels. In 2008, California ranked 38th among states in~~
29 ~~percentage of persons between 18 and 24 years of age, inclusive,~~
30 ~~with a high school diploma, 21st in the percentage of persons~~
31 ~~between 25 and 64 years of age, inclusive, with an associate~~
32 ~~degree, and 16th in the percentage of persons between 25 and 64~~
33 ~~years of age, inclusive, with a bachelor's or higher degree. Goal:~~
34 by 2020, California will be in the top 10 states nationally for the
35 percentages of its age groups with degrees and certificates
36 conferred.

37 67051. The State of California shall establish an accountability
38 framework that provides the basis for a biennial assessment of the
39 collective contribution of the state's system of postsecondary
40 education toward meeting the clear and measurable educational

1 and economic goals established pursuant to Section 67050. The
2 accountability framework developed to monitor progress toward
3 these goals shall be guided by all of the following principles:

4 (a) A state-level accountability framework is designed to help
5 policymakers develop, maintain, and fund a postsecondary
6 education system that meets the state's goals, recognizes the
7 differentiated missions of each segment of postsecondary
8 education, and guides the segments toward maintaining effective
9 institutions consistent with state goals and institutional missions.

10 (b) Policymakers and governing boards are collectively
11 accountable for meeting public goals for higher education, in
12 accordance with all of the following:

13 (1) Monitoring progress toward state goals is largely the
14 responsibility of state policymakers.

15 (2) Monitoring the performance of individual colleges and
16 universities is primarily the responsibility of institutional governing
17 boards.

18 (3) Institutional governing boards have ongoing responsibility
19 for monitoring the progress toward statewide policy goals of
20 individual colleges and universities, for meeting segmental and
21 institutional missions and goals, for ensuring the quality of the
22 students' education, and for providing information to students and
23 parents regarding enrollment, retention, and student success.

24 (c) The state-level reporting system shall be designed to contain
25 only data that helps policymakers to assess progress toward state
26 goals and to make appropriate policy and funding decisions.
27 Specific indicators may change as better data are identified for
28 assessing progress toward state goals.

29 (d) In establishing an accountability framework for higher
30 education, it is the intent of the Legislature to build upon existing
31 higher education data, information systems, reports, and processes,
32 including, but not limited to, the reporting process established in
33 Section 84754.5, and improve upon these efforts to measure
34 collective progress toward common vision and goals.

35 (e) Rather than envisioning a particular level of higher education
36 funding to move toward the statewide educational and economic
37 policy goals established pursuant to Section 67050, it is the intent
38 of the Legislature that the framework established pursuant to this
39 chapter help ensure the effective and efficient use of whatever
40 funding is provided to higher education.

1 67051.5. (a) It is the intent of the Legislature that, after
2 sufficient opportunity for deliberation and analysis, the information
3 gathered under the framework established pursuant to this chapter
4 be utilized by the Governor and Legislature to do all of the
5 following through appropriate actions:

6 (1) Establish clear and measurable goals in various areas,
7 including, but not limited to, enrollment, completion,
8 time-to-degree, efficiency in facilities utilization, transfer, and
9 access.

10 (2) Establish a timeline for phasing in the Legislature's and
11 Governor's expectations for the achievement of these goals.

12 (3) Develop policy and budget proposals that include appropriate
13 funding mechanisms, where appropriate, for achieving these goals,
14 including, but not limited to, incentive funding, differential funding,
15 or the reallocation of existing resources, or all of these.

16 (b) (1) It is the intent of the Legislature that by January 1, 2012,
17 the Governor appoint and convene a task force to review the
18 framework established pursuant to this chapter and to recommend
19 any necessary modifications to the goals and questions contained
20 therein.

21 (2) It is the intent of the Legislature that the task force, if created
22 pursuant to paragraph (1), include, but not be limited to, all of the
23 following:

24 (A) The Governor or his or her designated representative.

25 (B) The chairs and vice chairs of the Senate Education and
26 Assembly Higher Education committees.

27 (C) The Superintendent of Public Instruction.

28 (D) A representative of the business community.

29 (E) Three representatives of national organizations with
30 expertise in accountability.

31 (c) It is also the intent of the Legislature that the Governor
32 establish an advisory body to the task force established pursuant
33 to subdivision (b) to provide technical expertise and guidance. It
34 is the intent of the Legislature that the advisory body include, but
35 not be limited to, all of the following:

36 (1) A representative of the President of the University of
37 California.

38 (2) A representative of the Chancellor of the California State
39 University.

1 (3) A representative of the Chancellor of the California
2 Community Colleges.

3 (4) A representative of the Legislative Analyst's Office.

4 (5) A representative of the Department of Finance.

5 (6) Legislative staff from each of the appropriate policy
6 committees.

7 (7) A representative of the California Postsecondary Education
8 Commission.

9 67052. (a) The state shall utilize the accountability framework
10 established pursuant to this chapter to measure progress toward
11 its articulated educational and economic goals by collecting and
12 reporting information that answers all of the following six statewide
13 policy questions:

14 (1) Are enough Californians prepared for postsecondary
15 education?

16 (2) Are enough Californians going to college?

17 (3) Is the state's postsecondary education system affordable to
18 all Californians?

19 (4) Are enough Californians successfully completing certificates
20 and degrees?

21 (5) Are college graduates prepared for life and work in
22 California?

23 (6) Are California's people, communities, and economy
24 benefiting?

25 (b) The six questions set forth in subdivision (a) shall be
26 answered by collecting a select number of key indicators of
27 progress, not to exceed 30 indicators in total. The Legislature
28 recognizes that the postsecondary education segments may not
29 possess all of the information necessary to answer these questions.
30 To the extent it is impractical to collect comprehensive data, the
31 technical advisory committee established pursuant to subdivision
32 (e) shall recommend alternative sources of information that can
33 help inform these questions utilizing existing data.

34 (1) Are enough Californians prepared for postsecondary
35 education? Indicators of progress may include, but not necessarily
36 be limited to, all of the following:

37 (A) High school graduates who have completed the "A-G"
38 college preparatory curriculum.

39 (B) High school juniors who are proficient in English and
40 mathematics.

- 1 (C) Adults with a high school diploma or the equivalent.
- 2 (D) Adult basic skills proficiency levels.
- 3 (E) The proficiency level of first-time college freshmen in
- 4 mathematics, English, or both.
- 5 (2) Are enough Californians going to college? Indicators of
- 6 progress may include, but not necessarily be limited to, all of the
- 7 following:
- 8 (A) High school graduates enrolling in college anywhere in the
- 9 United States within one year.
- 10 (B) Adult population enrolled in postsecondary education.
- 11 (C) Proportion of postsecondary enrollment served by segment,
- 12 including private institutions.
- 13 (D) General Equivalency Diploma (GED) recipients enrolling
- 14 in postsecondary education.
- 15 (3) Is the state's postsecondary education system affordable to
- 16 all Californians? Indicators of progress may include, but not
- 17 necessarily be limited to, all of the following:
- 18 (A) Proportion of income needed to pay for college, by segment,
- 19 before and after financial aid.
- 20 (B) Family income distribution of enrolled students.
- 21 (C) Student loan burden.
- 22 (4) Do enough Californians successfully complete certificates
- 23 and degrees? Indicators of progress may include, but not
- 24 necessarily be limited to, all of the following:
- 25 (A) Certificates and degrees awarded.
- 26 (B) Graduation rates.
- 27 (C) Baccalaureate degree graduation rates for students beginning
- 28 at a community college with transfer intent.
- 29 (D) Number of units completed prior to earning a degree or
- 30 certificate or transferring.
- 31 (E) Remedial students successfully earning degrees or
- 32 certificates.
- 33 (5) Are college graduates prepared for life and work in
- 34 California? Indicators of progress may include, but not necessarily
- 35 be limited to, all of the following:
- 36 (A) Performance of college graduates on existing statewide
- 37 learning assessments.
- 38 (B) Performance of college graduates on licensure and graduate
- 39 school entrance examinations.
- 40 (C) Student and employer satisfaction with college education.

1 (6) Are California's people, communities, and economy
2 benefiting? Indicators of progress may include, but not necessarily
3 be limited to, all of the following:

4 (A) Median personal income by educational attainment.

5 (B) Increase in total per capita personal income.

6 (C) Degrees and certificates awarded in selected high-demand
7 fields.

8 (D) Federal research and development funding per capita.

9 (E) Educational attainment levels of state population.

10 (F) Public participation in community service and civic affairs.

11 (c) The segments of higher education in California shall provide
12 the California Postsecondary Education Commission (CPEC), to
13 the extent practical, on or before May 31, 2012, and by May 31
14 of each even-numbered year thereafter, all summary, nonpersonally
15 identifiable data required pursuant to this chapter and shall post
16 that information on an Internet Web site available to the public.
17 To the extent possible, the segments of higher education, with the
18 Chancellor of the California Community Colleges acting on behalf
19 of the community colleges, shall rely upon existing data,
20 information systems, reports, and processes in providing the
21 required data. The commission shall be the central repository for
22 collecting and maintaining all data, and shall make this data
23 available, through an Internet Web site available to the public,
24 pursuant to Section 67053 in the following formats:

25 (1) Statewide aggregate data.

26 (2) Segmental data, provided by the public and nonprofit
27 independent sectors.

28 (3) Regional data, reported for the 14 regions utilized by CPEC
29 for planning and statistical analysis.

30 (d) The data to support the indicators of progress shall be
31 collected and made available by race and ethnicity, gender, Cal
32 Grant recipient status, and socioeconomic status, to the extent that
33 these data are available. The data shall also be collected and
34 maintained by each segment longitudinally, where appropriate,
35 and, to the extent possible, be coordinated and aligned with other
36 longitudinal data systems, including, but not limited to, those
37 implemented to comply with the federal No Child Left Behind Act
38 of 2001 (20 U.S.C. Sec. 6301 et seq.), to allow for comprehensive
39 and integrated analysis of data from all educational levels.

(e) (1) The Legislative Analyst's Office and the Department of Finance shall jointly convene a Technical Advisory Committee (TAC) to coordinate the technical specifications of the summary aggregate indicator data needed to address the six state policy questions set forth in subdivisions (a) and (b) and the accessibility of indicator data for state purposes. The TAC shall consist of all of the following:

(A) Four representatives, one from each of the postsecondary education segments, as defined in Section 67054. For the public postsecondary segments, the representative shall be chosen by the system president or chancellor, as appropriate.

(B) A representative of the California Postsecondary Education Commission.

(C) At least one member, but no more than three members, with expertise in similar state accountability efforts, and who is not a regular employee of any California postsecondary education segment, chosen by the Legislative Analyst's Office.

(D) A representative of the Legislative Analyst's Office, who shall serve as the chairperson of the TAC.

(2) (A) The Legislative Analyst's Office (LAO) may request technical input from a representative from any agency that maintains data that would be helpful in responding to the six state policy questions set forth in this section.

(B) The LAO, in consultation with the Department of Finance, shall submit a report on the recommended indicator data to be collected and reported for the accountability framework to the appropriate legislative policy committees, the Joint Legislative Budget Committee, and the Governor, on or before January 30, 2012. The report shall also include a summary of the discussions of the TAC, including any limitations in data to respond to the suggested indicators described in this section.

(C) The LAO shall consider any concerns provided in writing by the Joint Legislative Budget Committee, the Governor, or both, within the 30 days following release of the report specified in subparagraph (B). The LAO, in consultation with the Department of Finance, shall revise its report as it deems appropriate to respond to these concerns.

(D) To the extent that the Governor and the Legislature concur with the recommendations of the LAO, it is the intent of the Legislature that these data and indicators be formally adopted by

1 statute, and may be modified in any year, as part of the annual
2 budget process.

3 67053. (a) (1) Commencing August 1, 2012, and on or before
4 August 1 of each even-numbered year thereafter, the California
5 Postsecondary Education Commission (CPEC) shall submit to the
6 Legislature and the Governor a report of data it has collected under
7 subdivisions (c) and (d) of Section 67052. A copy of the report
8 shall be made available to the Director of Finance and the
9 governing body of each of the segments of postsecondary
10 education. The report shall present statewide data for each of the
11 indicators described in Section 67052, as well as any other
12 indicators requested pursuant to law. The CPEC shall make the
13 data report available on an Internet Web site open to the public.

14 (2) A report to be submitted pursuant to paragraph (1) shall be
15 submitted in compliance with Section 9795 of the Government
16 Code.

17 (b) Within 120 days of receipt of the report described in
18 subdivision (a), the LAO, in consultation with the postsecondary
19 education segments, shall analyze the data contained in that report
20 and do all of the following:

21 (1) Assess the extent to which California has made progress on
22 the six questions in Section 67052.

23 (2) Identify significant factors which may explain the level of
24 progress that has been achieved.

25 (3) Identify higher education policy and funding issues suggested
26 by the data for the Governor and the Legislature to consider.

27 (c) The LAO shall present its analysis at a joint hearing of the
28 appropriate legislative policy committees and appropriate budget
29 subcommittees, to be convened on or before December 30, 2012,
30 and each even-numbered year thereafter.

31 (d) It is the intent of the Legislature that the accountability
32 information collected by CPEC shall be made available, with due
33 concern for student privacy, to the Legislature, the Governor, and
34 other researchers.

35 (e) The three boards and organization identified in Section 67054
36 may provide biennial reports on their respective postsecondary
37 education segments at the joint hearing held pursuant to subdivision
38 (c). These biennial segment reports are intended to become part
39 of the state accountability record. The reports shall provide a key
40 link between the state postsecondary education accountability

1 reporting structure and segmental accountability efforts. These
2 biennial reports shall include all of the following:

3 (1) The segment's main priorities for each of the state's goal
4 areas.

5 (2) The major activities underway to address each priority.

6 (3) The performance indicators used to track progress toward
7 each goal.

8 (4) Major highlights or issues from the data that have state-level
9 significance.

10 (5) The segment's institutional goals for student learning
11 outcomes, including core competencies and the capacity to learn;
12 how they assess progress toward these goals; what they are learning
13 from their assessments; and how they are using their assessments
14 to improve learning.

15 (6) A summary of any activity undertaken to address all of the
16 following:

17 (A) System efforts being undertaken to address instruction in
18 occupational programs of high state need.

19 (B) Programs implemented to assist elementary and secondary
20 pupils with academic preparation, and the extent to which these
21 efforts assist elementary and secondary pupils to meet both
22 placement and admission standards of each segment, and programs
23 implemented to provide professional development for new and
24 practicing teachers.

25 (C) Remediation efforts and outcomes for students admitted to
26 college who are underprepared for college-level writing and math.

27 (D) Expansion of capacity to effectively and efficiently serve
28 students, including, but not necessarily limited to, the collaborative
29 use of facilities across higher education segments, distance
30 learning, operation during evenings, weekends, and summer
31 sessions, including quantifiable measures of increased productivity.

32 67054. For the purposes of this chapter, the segments of
33 postsecondary education are defined as the California Community
34 Colleges, the California State University, the University of
35 California, and independent colleges and universities. These
36 segments are represented by the Board of Governors of the
37 California Community Colleges, the Board of Trustees of the
38 California State University, the Board of Regents of the University
39 of California, and the official organization representing the largest
40 number of independent colleges and universities, as defined in

1 subdivision (b) of Section 66010, in the state. For purposes of this
2 chapter, only the Chancellor of the California Community Colleges
3 shall be required to report available information at the community
4 college level.

5 SEC. 5. Chapter 12.7 (commencing with Section 67070) is
6 added to Part 40 of Division 5 of Title 3 of the Education Code,
7 to read:

8
9 CHAPTER 12.7. INFORMATION REGARDING ENROLLMENT,
10 RETENTION, AND STUDENT SUCCESS
11

12 67070. (a) In order to provide prospective students and their
13 families access to critical institution-specific information regarding
14 enrollment, retention, and student success, it is the intent of the
15 Legislature that the University of California, the California State
16 University, the Chancellor of the California Community Colleges,
17 and the independent colleges and universities in California provide
18 a highly visible and accessible array of tools designed to assist
19 with their decisionmaking processes.

20 (b) The tools referred to in subdivision (a) shall seek, as their
21 primary goal, to provide students and their families with timely
22 and relevant data and information that may include any of the
23 following:

24 (1) The number and types of degrees or certificates awarded at
25 the undergraduate and graduate level, by campus.

26 (2) The average time-to-degree for undergraduates, by campus.

27 (3) The average units-to-degree for undergraduates, by campus.

28 (4) Data related to average student persistence, retention, or
29 both.

30 (5) The total cost to students of annual enrollment, including
31 all campus-based and other fees.

32 (c) The data referred to in subdivision (b) shall be collected and
33 reported by race and ethnicity, gender, Cal Grant recipient status,
34 and socioeconomic status, to the extent that these data are available,
35 and shall be made available in a manner that seeks to minimize
36 direct costs to the institution. It is the intent of the Legislature that
37 the University of California, the California State University, the
38 Chancellor of the California Community Colleges, and the
39 independent colleges and universities utilize existing electronic
40 and other media resources to disseminate the information delineated

1 in this section, including systemwide Internet Web sites,
2 intrasegmental Internet Web sites, or both.

3 67071. (a) To the extent that the University of California, the
4 California State University, the Chancellor of the California
5 Community Colleges, and the independent colleges and universities
6 participate voluntarily in existing informational reporting for
7 students and parents, those efforts may be deemed to meet the
8 Legislature's intent, as outlined in Section 67070.

9 (b) For the purposes of this section, information reporting
10 frameworks may include, but need not be limited to, those
11 developed by national higher education organizations and federal
12 data collection entities. However, every attempt shall be made to
13 ensure that information reporting provides students and families
14 with information that will improve their understanding and
15 comparison of postsecondary educational institutions.

16 67072. In implementing this chapter and Chapter 12.5
17 (commencing with Section 67050), state agencies, local educational
18 agencies, and the officers and appointees of those agencies shall
19 consider and comply with state and federal privacy law, and ensure
20 that the highest, appropriate security protections are in place in
21 order to provide the maximum protection of privacy, consistent
22 with the requirements under the United States and California
23 Constitutions and all applicable federal laws, including the Family
24 Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g)
25 and its implementing regulations (34 C.F.R. 99).

26 SEC. 6. Chapter 4.5 (commencing with Section 99180) of Part
27 65 of Division 14 of Title 3 of the Education Code is repealed.